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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,382	08/29/2001	Uusilehto Janne	460-010523-US (PAR)	9703

2512 7590 06/16/2006

PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

MILEF, ELDA G

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/942,382	JANNE, UUSILEHTO	
	Examiner	Art Unit	
	Elda Milef	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/5/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION***Drawings***

1. Figure 1 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferreira (US Patent No. 6,115,601) in view of Kawan (US Patent No. 6,442,532).

Re claim 1: Ferreira discloses:

defining a loading condition for loading money to the money depositing means -see cols. 3-4, in particular col. 4 lines 18-35("A further embodiment of the method is characterized by the method comprising the step of the secure module in response to a trigger from the mobile communication appliance to reload a specified number of communication credits, checking whether the specified number of communication credits falls within a predetermined communication credit range stored in the secure module...an upper limit is stored in the secure module, specifying the maximum number of credits which may be stored in the secure module or may be loaded in one operation. The secure module

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checks that a request falls within a range defined by the limit..." and ("It will be appreciated that the credits may directly represent money(so-called electronic money)")-see col. 2 lines 32-34 and ("Preferably, the secure module 30 is implemented using smart-card technology")-see col. 5 lines 42-43 and Fig.1;

examining whether the inquiry message transmitted by the money loading means can be received by the money depositing means, ("The reload server 20 also comprises an authenticator 340 for authenticating messages...For authenticating the messages exchanged with the secure module 30...")-see col. 7 lines 16-57, also see col. 3, the method further comprises examining said loading condition ("in response to a trigger, from the mobile communication credits, checking whether the specified number of communication credits falls within a predetermined communication credit range stored in the secure module...")-see col. 4 lines 18-35, wherein if the examination indicates that the loading condition is fulfilled, the loading takes place automatically ("The secure module 30 may be programmed to automatically determine a number or credits to be reloaded. One way of doing this is to always request a predetermined number or credits or alternatively, request to be fully reloaded...")-see col. 8 lines 24-32.

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Ferreira discloses wireless communication and a reload server that can receive a reload request message that was sent automatically or triggered by the user, and in return, the reload server can transmit a reload grant message sent to the secure module (smart card) indicating that the reload request has been granted-see col. 5 lines 24-67. Ferreira further discloses a checking program module for checking whether the specified number of communication credits falls within the communication credit range read from the secure module in order to trigger the reload -see col. 8 line 60-col. 9 line 19. Ferreira does not specifically disclose an inquiry message transmitted at intervals by the money loading means. Kawan however, teaches ("Conversely, signals are provided from the transmitter/receiver portion 110 of the terminal 100 to a front end processor via wireless service provider. In this manner, the terminal 100 may be used to wirelessly receive and transmit data to and from a financial institution or financial network.")-see col. 4 lines 50-60, col. 5. It is obvious that the signals taught by Kawan are in fact inquiry messages. The signals transmitted by the terminal disclosed by Kawan are sent to a financial institution or financial network to inquire about transactions taking place that affect the user's accounts i.e., account balances. In addition, it is obvious that the inquiry

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signals will be transmitted to the financial institution at intervals due to financial transactions taking place. Further, Ferreira discloses automatic reloading of communication credits (electronic money), and a checking program module stored in program memory which is a task implemented by the computer processor that checks if communication credits falls within the communication credit range in order to trigger a reload. It is obvious that the checking program module would have to run checks of the communication credit balance periodically in order to determine when to reload. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ferreira to include that the wireless terminal transmits signals which include data relating to potential transactions i.e., checking account balances, as was taught by Kawan in order to inquire about account balances before electronic money can be added (reloaded) onto the smart card.

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Re claim 2: Ferreira discloses: said loading condition used is a minimum sum, wherein in the method, the sum of money deposited in the money depositing means is compared with said minimum sum, and loading takes place, if the deposited sum of money is smaller than said minimum sum. -see (predetermined communication credit range and lower limit) col. 4, lines 19-67;

Re claim 3: Ferreira discloses:

wherein said loading condition used is a maximum sum, wherein in the method, the sum of money deposited in the money depositing means is compared with said maximum sum, and loading takes place, if the deposited sum of money is smaller than said maximum sum.-see col. 4 lines 18-67;

Re claim 4: Ferreira discloses:

wherein in the method, also the sum of money to be loaded at each loading time is determined ("reload a specified number of communication credits...")-see col. 4 lines 18-67;

Re claim 5: Ferreira discloses: wherein in connection with the loading of money, an identification number is transmitted to the money loading means for identification of the user -see col. 3 line 66-col. 4 line 5, col. 5 line 61-col. 6 line 14, col. 1 lines 23-30.

Re claim 6: Ferreira discloses:

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wherein a cash card is used as the money depositing means.

-see "secure module" col. 1 lines 24-54.

Re claim 7: Ferreira does not disclose:

wherein an automatic teller machine is used as the money loading means. Kawan teaches ("the system not only provides the functionality of an ATM network...")-see col. 2 line 34-37, cols. 4-6, Fig. 3A. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ferreira to include loading electronic money onto a smart card using an ATM as taught by Kawan in order to give the user the option to perform many financial services i.e., load electronic money on a smart card, check balances on various accounts, deposit checks, withdraw cash at one location.

Re claim 8: Ferreira discloses:

wherein a mobile communication network is used as the money loading means -see col. 5 lines 24-67.

Re claim 9: Ferreira discloses:

an electronic device("The mobile communication appliance 10") -see Col. 6 lines 15-col. 7 and Fig. 1 (10);

money depositing means (fig. 1 (30)) comprising means for setting up a data transmission connection to money loading means Fig. 1 (20) and means for loading money from the money loading

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means to the money depositing means -see col. 5 lines 24- col. 6 line 14 and Fig. 1.

Further, the remaining limitations are similar to those in claim 1 and are rejected using the same art and rationale;

Re claim 10: Ferreira discloses:

wherein the means for loading money comprise wireless communication means ("wireless telecommunication")-see col. 5-col. 6;

Re claim 11: Ferreira discloses:

wherein the money depositing means comprise a cash card ("smart card")-see col. 5 lines 42-43;

Re claim 12: Ferreira discloses:

the electronic device according to claim 9, further comprising an identification card for identifying the user of the electronic device -see col. 1 lines 24-30, and wherein the money depositing means are arranged in connection with said identification card. -see Fig. 1, and cols. 5-6;

Re claim 13: For examination purposes, the Examiner is interpreting claim 13 to mean the electronic device according to claim 9, further comprising means for performing functions of a mobile telephone and as such, Ferreira discloses a mobile communication appliance such as a mobile telephone or PDA (Personal Digital Assistance in col. 5, lines 24-67.

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Re claim 14: Further, a system would have been necessary to perform previously rejected claims 1 and 9 and is therefore rejected using the same art and rationale.

Response to Arguments

4. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,704,046 (Hogan)-cited for its reference to a system and method for conducting cashless transactions, the system provides an automatic renewal feature which automatically increases the balance of the card device by a predetermined amount.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3628